

(ii) The date of the certificate's issuance to the eligible person and the period of its validity, and

(iii) Approval of entrance into a job training program is subject to the availability of funds.

(2) A certificate expires 180 days from the date on which it is furnished to the eligible person. However, VA may renew a certificate for an eligible person when the provisions of §21.4812(b) are met. A renewed certificate expires 180 days from the date on which it is furnished to the eligible person, and may itself be renewed.

(Authority: 106 Stat. 2759, Pub. L. 102-484, sec. 4485(b)(3), 10 U.S.C. 1143 note)

(d) *Disapproval.* If an individual's application is disapproved, VA will give the individual written notice of the decision, including the reasons therefor, a summary of the evidence considered and an opportunity for a hearing. The individual may appeal VA's denial of his or her application under the same process as is provided in Part 19, Subpart B of this chapter.

(Authority: 106 Stat. 2759, Pub. L. 102-484, sec. 4485(b)(3), 10 U.S.C. 1143 note)

§§ 21.4813—21.4819 [Reserved]

APPROVAL OF EMPLOYER PROGRAMS

§21.4820 Job training program approval.

(a) *Eligible persons.* An employer may be paid assistance on behalf of a participating eligible person only for providing a program of job training approved by VA as meeting the requirements of this section and §21.4822.

(1) The training provided under an employer's job training program must be in a field of employment providing a reasonable probability of stable, long-term employment and such training must be provided for a period of not less than 6 months.

(2) An employer may provide all or part of a job training program under an agreement with an educational institution offering the training through a course or courses which have been approved under §21.4253 or §21.4254 for the enrollment of veterans.

(3) An apprenticeship or other on-job training program approved under 38 U.S.C. 3687 will, upon the employer's

submission of an application in accordance with §21.4822 containing the certification required by §21.4822(a)(3)(iii), be considered to have met all requirements for approval under this subpart, and will be approved unless found ineligible under paragraph (b) of this section, and

(4) If a job training program requires more than 18 months (or the equivalent in training hours) of training to complete, the period of training approvable for purposes of this subpart will be limited to the first 18 months (or the equivalent in training hours) of training under that program, or a period of training not to exceed 18 months (or the equivalent in training hours) from the point at which the eligible person enters the program in the case where the employer grants credit for prior training. (See §21.4832(a)(3)).

(Authority: 10 U.S.C. 1143 note; sec. 4481-4497, Pub. L. 102-484, 106 Stat. 2757-2769, as amended by sec. 610, Pub. L. 103-446, 108 Stat. 4673-4674)

(b) *Ineligible programs.* VA will not approve a job training program for employment—

(1) Which consists of seasonal, intermittent or temporary jobs,

(2) Under which commissions are the primary source of income,

(3) Which involves political or religious activities,

(4) With any department, agency, instrumentality or branch of the Federal Government (including the United States Postal Service and the Postal Rate Commission); or

(5) Which will not be performed in a State.

(Authority: 10 U.S.C. 1143 note; sec. 4481-4497, Pub. L. 102-484, 106 Stat. 2757-2769, as amended by sec. 610, Pub. L. 103-446, 108 Stat. 4673-4674)

[60 FR 5852, Jan. 31, 1995, as amended at 61 FR 29296, June 10, 1996]

§21.4821 [Reserved]

§21.4822 Employer applications for approval.

(a) *Applications for approval of job training programs.* (1) The employer must apply for approval of a job training program to the Director of the VA facility having jurisdiction over the